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Attorneys for Plaintiff
Eden A. Cabuyaon

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

EDEN A. CABUYAON

No. C09-04554 jsw

Plaintiff,

vs.

**STIPULATION AND ORDER OF
DISMISSAL AS TO DEFENDANT
JOHN MUIR HEALTH**

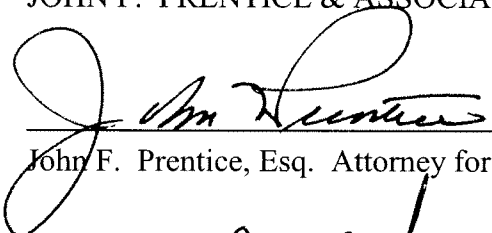
JOHN MUIR HEALTH, a California
corporation, and DOES 1 - 100, Inclusive,
Defendants.

STIPULATION

IT IS HEREBY STIPULATED by and between Plaintiff Eden A. Cabuyaon, through her attorney John F. Prentice and Defendant John Muir Health, through their attorney David M. Lester, that the above-captioned action is dismissed with prejudice in its entirety pursuant to Fed. R. Civ. P. 41(a)(1), as to Defendant John Muir Health. The parties are responsible for their own costs and attorneys fees.

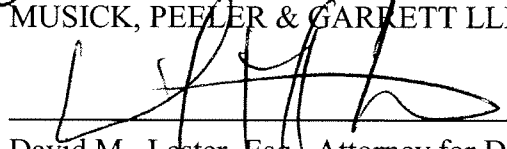
Dated: October 23, 2009

JOHN F. PRENTICE & ASSOCIATES, P.C.


John F. Prentice, Esq. Attorney for Plaintiff

Dated: October 31, 2009


MUSICK, PEELER & GARRETT LLP


David M. Lester, Esq. Attorney for Defendant

ORDER

PURSUANT TO STIPULATION, IT IS ORDERED, the above-captioned action is hereby dismissed with prejudice as to Defendant John Muir Health with each party to bear their own costs and attorneys fees. The Defendant's pending motion to dismiss scheduled for hearing on November 13, 2009 at 9:00 a.m. is hereby vacated.

November 12
Dated: ~~October~~ ____, 2009



The Honorable Jeffrey S. White
United States District Court Judge